



## **CITY OF HAYWARD AGENDA REPORT**

**Planning Commission**

Meeting Date: 07/26/00

Agenda Item: 3

**TO:** Planning Commission

**FROM:** Arlynn J. Camire, Associate Planner

**SUBJECT:** **Variance No. 01-180-09 Steve & Julie Dalcin (Applicants/Owners): A Request for Reduction of a Front Setback From the Required 20 Feet to 18 Feet-3 Inches to Allow the Expansion of an Existing Master Bedroom and a Living Room**

The property is located at 601 Garin Avenue in a RS Single-Family Residential Zoning District

### **RECOMMENDATION:**

Staff recommends that the Planning Commission:

- 1) Find that the proposed project is CEQA; and
- 2) Deny the variance, subject to the attached findings.

### **BACKGROUND:**

#### **Setting**

The property is located on the southeastern corner of Garin Avenue and Vanderbilt Street, one block east of Mission Boulevard at the entry to the Garin Avenue hillside neighborhoods. The rectangular property measures approximately 64 feet by 99 feet, with a total of 7,050 square feet, and is in the Single-Family Residential (RS) zoning district.

The parcel is developed with a 1,392-square-foot, one-story single-family residence with an attached two-car garage. The dwelling was constructed in 1959 as part of a residential tract of 25 homes (Tract 1960). The homes within this tract and those built in later phases of the development have similar floor plans and a similar architectural design that includes a 4-foot wide porch adjacent to the front of the garage. All of the garages encroach approximately 2 feet into the currently required 20-foot front yard set back. The subject home has a street side yard along Vanderbilt Street that varies from 16 feet to approximately 18.5 feet.

## **Project Description**

The applicants request to extend the existing living room and the master bedroom by four feet to be even with the front of the garage. They also intend to extend the family room and kitchen into the rear yard, which does not require a variance and meets development standards (See Plans).

## **Discussion**

Staff is of the opinion that the required findings to approve the variance cannot be made. If approved, the applicants would receive a special privilege not given to their neighbors there are neither no special circumstances that would justify the granting of the variance. The property is not of an odd shape, and it is larger than several properties in the neighborhood. Since there is ample area in the side yard on the Vanderbilt Street frontage, staff suggests that this area be used to complete an addition to the master bedroom.

If the variance were to be granted, the façade of the home would be even with the garage causing the residence to vary from the City's Design Guideline that states: "Entries, storefronts, and housing units should be articulated in the shape of roofs and walls. Flat facades with little or no articulation detract from the aesthetic quality of neighborhoods." Since the home is located at a prominent gateway into the neighborhood, the variance would result in a negative visual and aesthetic impact.

The applicants submitted a list of addresses of homes that they believe have additions that encroach into the required 20-foot front yard (Attachment C.) The list includes homes located in the Fairway Park Neighborhood, west of Mission Boulevard, and the subject Mission-Garin Neighborhood, where the applicants live. Staff has reviewed the building permits and found that the additions do not encroach into the required front yards. These homes, with the exception of 29709 Holiday Street, are similar in architectural design to the subject home, and were built as part of a different phase of the same development that meets the 20-foot front yard development standard.

## **ENVIRONMENTAL REVIEW:**

The proposed project is Categorically Exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15305, of the Guidelines "Minor Alterations to Land Use Limitations."

## **PUBLIC NOTICE:**

Staff received a letter of support from William W. Weller, the Director of the Fairway Park Neighborhoods Association (Attachment D).

On July 13, 2001, a Notice of Public Hearing for the Planning Commission meeting was mailed. Notice was also provided to the Fairway Park Homeowners Association, and the Fairway Park Neighborhood and Mission-Garin Neighborhood Task Force members.

## **CONCLUSION:**

This proposed project is not keeping with the existing neighborhood standards and development patterns. Surrounding homes in the neighborhood have articulated front facades and approved additions to homes in the neighborhood do not encroach into the front yard setback. Therefore, a variance to allow encroachment into the front yard setback would grant a special privilege. Therefore, staff recommends denial of the variance request.

*Prepared by:*

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Arlynne J. Camire, AICP  
Associate Planner

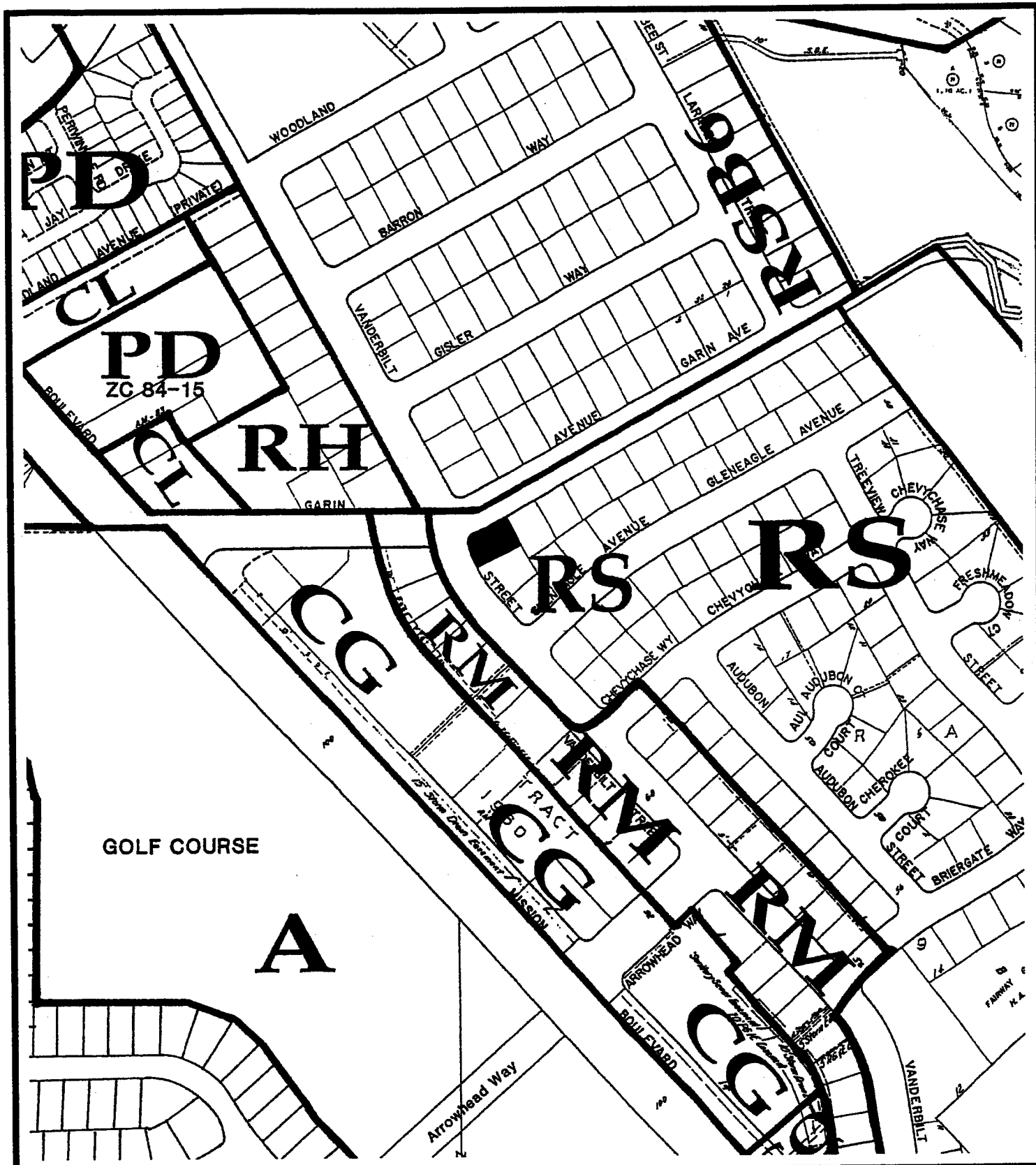
*Recommended by:*

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Dyana Anderly, AICP  
Planning Manager

## **Attachments:**

- A. Area Map
  - B. Findings for Denial
  - C. List of Properties received from the Applicants
  - D. Letter in Support Received May 30, 2001
- Plans



### Area & Zoning Map

VAR 01-180-09

Address: 601 Garin Avenue

Applicant: Steve & Julie Dalcin

Owner: Steve & Julie Dalcin

ATTACHMENT A

**Findings For Denial**  
**Variance Application No. 01-180-09**  
**Steve & Julie Dalcin (Applicants/Owners)**  
**601 Garin Avenue**

- A. The proposed project is Categorically Exempt from the California Environmental Quality Act (CEQA) Guidelines, pursuant to Section 15303, Minor Alterations to Land Use Limitations;
- B. There are no special circumstances applicable to the property in that the subject property is flat, and has a similar lot configuration and size as surrounding properties.
- C. The strict application of the Zoning Ordinance does not deprive this property of privileges enjoyed by other properties in the Mission-Garin Neighborhood under the same zoning classification in that others who have made additions to the front of their homes have not encroached into the required 20-foot front yard;
- D. The variance would constitute a grant of a special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated in that additions to homes built on similarly sized parcels have not been issued permits to build room additions which would encroach into the front yard.

**From:** <JCDalcin@aol.com>  
**To:** COHD.CED(ArlynnC)  
**Date:** Tue, May 29, 2001 11:53 AM  
**Subject:** Variance: VAR 01-180-09, 601 Garin Ave

Per our conversation this morning. Attached are addresses to support our request for a variance for a reduction in the front set-back. Additions that appear to be less than 20 feet set back from the front property line.

300674 Vanderbuilt  
29709 Holiday  
2 Becker Place  
666 Gleneagle  
31058 Meadowbrook  
30683 Carroll  
30690 Carroll  
30547 Oakmont  
360 River Crest Lane  
30696 Brae Burn  
666 Briergate

Julie Dalcin, property owner  
601 Garin Ave  
VAR 01-180-09

To: ARLYNNE J. CAMIRE, A.I.C.P.

FRIDAY, 25 MAY, 2001

PLANNING DIVISION  
777 "B" ST.  
HAYWARD, CALIF., 94541

RECEIVED

MAY 30 2001

PLANNING DIVISION

REFERENCE: VAR. 01-180-09

From: WILLIAM W. WELLER, DIRECTOR, FAIRWAY PARK NEIGHBORHOODS ASSOC.  
28564 COLE PLACE  
HAYWARD, CALIF., 94544

I spoke to Mrs. Julie Dakin yesterday afternoon about this project. The expansion comes out as far as the front porch does now.

We see nothing wrong granting this variance as it will in reality change nothing from what has been there for very many years.

Please give the Dakin's your full cooperation.

Sincerely,  
William W. Weller

ATTACHMENT D